IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 9418 of 2004

Between:

Villa Venkata Reddia S/o late Sri Setaiah
R/o Chintana Lanka (V), Inavilli (M),
East Godavari Dist.

..... PETITIONER

AND

1 The Asst. Commissioner Endowments Dept.
Rajahmundry, East Godavari Dist.
2 Manasas Trust Fort rep. by Executive Officer
Vizianagaram, East Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ, Order or direction, more especially in the nature of mandamus, declaring the action of the 2nd respondent directing the petitioner hand over the possession the land total admeasuring Acres 10.33 cents, situated in Sy.Nos. (old) (38-3, 38-1, 38-2, 40-1, 1-A, 37-2, 37-3 BC, 37-3 B2, 3-A, 3-C, 3-B1A, & 33) New Sy.Nos. 21, 38-1, 1-2, 22-2D, 22-3A, 22-2C, 3-2A, 3-2C, 3-2, and 2-2B of Chintana Lanka Village, Inavilli (M) of East Godavari Dist., as illegal, arbitrary and unreasonable, null and void and without jurisdiction, and contrary to the procedure laid down in the Rules framed in G.O.Ms.No.379, Revenue (Endowments-I) Dept. dt: 11-3-2003

Counsel for the Petitioner:MR.P.UDAYA BHASKARA RAO

Counsel for the Respondents .: GP FOR ENDOWMENTS

The Court made the following :

ORDER:-

Heard both sides and at the request of both the counsel, the main Writ Petition is taken up for disposal. The petitioner herein, who claims to be the tenant, files this Writ Petition, inter alia, against the action of the 2nd respondent directing him to handover the possession of the land in question.

Though, several contentions have been urged across the Bar, however, it is not necessary to go into the merits of the case, especially when the petitioner has got alternative effective remedy available under the provisions of A.P. Charitable Hindu Religious Institutions and Endowments Act, 1987 to approach the concerned authority i.e. Assistant Commissioner of Endowments.

Having regard to the above facts and circumstances of the case, the Writ Petition is disposed of permitting the petitioner to approach the said authority for determination of his rights and entitlement. The petitioner shall file the application before the said authority within two weeks from today and the same shall be disposed of within two months thereafter. It is needless to mention that till the disposal of the said application, there shall be status quo. No order as to costs.

B.Prakash Rao,J.

27th July, 2004.

KM/STV

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Asst. Commissioner Endowments Dept.
Rajahmundry, East Godavari Dist.
2 Manasas Trust Fort rep. by Executive Officer
Vizianagaram, East Godavari Dist.

3. 2CCs to G.P.for Endowments.High Court Buildings,Hyderabad.

A.P.(OUT)

2. 2CD copies

THE HONOURABLE SRI JUSTICE B.PRAKASH RAO

W.P.No. 9418 OF 2004

27th July, 2004.